

REMARKS/ARGUMENTS

Favorable consideration of this Application and in light of the following discussion is respectfully requested.

Claims 1-20 are pending in the present Application Claims 15-20 being currently withdrawn. Thus, no new matter has been added.

By way of summary, the Final Official Action presents the following issues: Claims 1-14 stand rejected under 35 U.S.C. § 102(b) as anticipated by Stefik et al. (U.S. Patent No. 5,629,980, herein Stefik).

The Official Action has rejected Claims 1-14 under 35 U.S.C. § 102(b) as being anticipated by Stefik. The Official Action asserts that Stefik discloses all of the Applicant's claim limitations. Applicants respectfully traverse the rejection.

M.P.E.P. §2131 states "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference,"(emphasis added). Further, M.P.E.P. §2143.03 states that "all words in a claim must be considered in judging the patentability of that claim against the prior art."

As noted in Applicants response filed on January 10, 2006 Stefik does not disclose or suggest **combining content based on whether or not the content has been previously transferred to another apparatus connected to an information processor**, as recited in Applicants Claim 1.

Claim 1 recites, in part, "combining the first and second contents together when it is determined by the first and second judging means that neither the first nor second content has been transferred to another apparatus connected to the information processor."

Stefik does not describe or suggest judging if content has been transferred to another apparatus connected to the information processor. Although, Col. 31, line 63 through col. 32, line 18 of Stefik describe "loaning out" a digital work and describes composite digital works

in col. 18, Stefik does not describe combining two works when it is determined that neither work has been transferred to another apparatus connected to the information processor.

Thus, as Stefik does not describe every feature of the present invention as recited in Claim 1, Claim 1 patentably distinguishes over Stefik.

Additionally, Claims 5, 8 and 12 similarly recite the above noted features of Claim 1 and the arguments presented above also apply to these claims and claims depending therefrom.

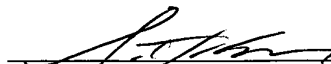
Therefore, it is respectfully submitted that independent Claims 1, 5, 8 and 12 and any claims depending therefrom, patentably distinguish over the teachings of Stefik.

Accordingly, Applicants respectfully request that the final rejection of Claims 1-14 under 35 U.S.C. § 102 be withdrawn.

Consequently, in view of the foregoing remarks, it is respectfully submitted that the present Application, including Claims 1-14, is patentably distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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